

JUN 25 2007

PATENTS
P01-1036/112056-0006**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post-office address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled System and Method for Transferring Volume Ownership in Networked Storage, the specification of which is attached hereto and identified by Cesari and McKenna File No. 112056-0006.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code §119(e) of the following U.S. provisional application:

None

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

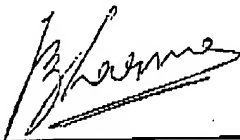
None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

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P01-1036/112056-0006

like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Michael E. Attaya, Reg. No. 31,731; Charles J. Barbas, Reg. No. 32,959; Joseph H. Born, Reg. No. 28,283; John L. Capone, Reg. No. 41,656; Robert A. Cesari, Reg. No. 18,381; Kathleen Chapman, Reg. No. 46,094; Duane H. Dreger, Reg. No. 48,836; Howard S. Fuhrman, Reg. No. 33,175; A. Sidney Johnston, Reg. No. 29,548; William A. Loginov, Reg. No. 34,863; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Edwin H. Paul, Reg. No. 31,405; Michael R. Reinemann, Reg. No. 38,280; Robert E. Rigby, Jr., Reg. No. 36,904; Rita M. Rooney, Reg. No. 30,585; and Patricia A. Sheehan, Reg. No. 32,301, Cesari and McKenna, LLP, 88 Black Falcon Avenue, Boston, MA 02210, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Duane H. Dreger at (617) 951-2500. Please address all correspondence to Duane H. Dreger.



Joydeep sen Sarma


02/25/2002

Date

Residence: 18 Eagle Hill Terrace
Redwood City, CA 94062

Citizenship India

Post Office Address: Same as above



Alan L. Rowe

03/01/02

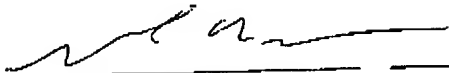
Date

Residence: 6443 Curie Court
San Jose, CA 95123

Citizenship Canada

Post Office Address: Same as above

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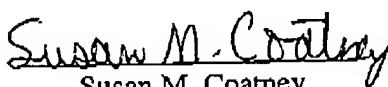
 2/25/2002

Samuel M. Cramer Date

Residence: 996 Warwick Court
Sunnyvale, CA 94087

Citizenship United States

Post Office Address: same as above

 2/25/2002

Susan M. Coatney Date

Residence: 10290 Stern Avenue
Cupertino, CA 95014

Citizenship United States

Post Office Address: Same as above

RECORDATION FORM COVER SHEET
PATENTS ONLY

JUN 25 2007

To the Honorable commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Joydeep sen Sarma

Alan L. Rowe

Samuel M. Cramer

Susan M. Coatney

Additional name(s) of conveying

party(ies) attached? Yes ☒ No

2. Name and address of receiving party(ies):

Name: Network Appliance, Inc.

Street Address: 495 East Java Drive

City: Sunnyvale

State: California

Zip: 94089

Additional name(s) & address(es)

Attached? Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: February 25, 2002 and March 1, 2002

4. Application number(s) or patent number(s): 1

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) United States Patent
Application Serial No. 10/027,020

B. Patent No. (s)

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Duane H. Dreger

Street Address: Cesari and McKenna, LLP

88 Black Falcon Avenue

City: Boston State: MA Zip: 02210

6. Total number of applications and patents involved:..... 1

7. Total fee (37 CFR 3.41) \$40.00

☒ Enclosed☐ Authorized to be charged to deposit Account

8. Deposit account no. 03-1237 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Duane H. Dreger, Reg. No. 48,836



March 8, 2002

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 1

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JUN 25 2007

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112056-0006

ASSIGNMENT

Whereas We, Joydeep sen Sarma, whose residence address is 18 Eagle Hill Terrace, Redwood City, CA 94062, Alan L. Rowe, whose residence address is 6443 Curie Court, San Jose, CA 95123, Samuel M. Cramer, whose residence address is 996 Warwick Court, Sunnyvale, CA 94087, and Susan M. Coatney, whose residence address is 10290 Stern Avenue, Cupertino, CA 95014, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled System and Method for Transferring Volume Ownership in Networked Storage, identified by Cesari and McKenna File No. 112056-0006, which application was executed by us on 02/25/2002; and

Whereas Network Appliance, Inc., whose address is 495 East Java Drive, Sunnyvale, CA 94089, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, Therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made;

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112056-0006

and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

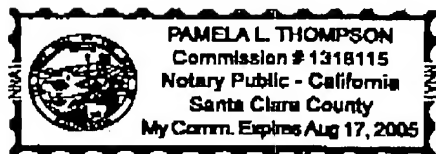
02/25/2002
Date

Joydeep sen Sarma
Joydeep sen Sarma, Inventor

On February 25, 2002, before me, Pamela L. Thompson, Notary Public, personally appeared Joydeep sen Sarma,

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



[seal]

WITNESS my hand and official seal

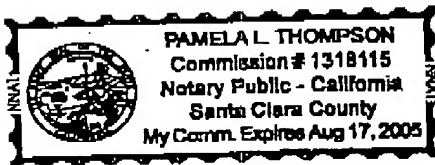
Pamela L. Thompson
Signature of Notary Public

PATENTS
112056-000609/01/02
DateAlan L. Rowe
Alan L. Rowe, InventorOn March 1, 2002, before me, Pamela L. Thompson, Notary Public, personally

appeared Alan L. Rowe,

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

Pamela L. Thompson
Signature of Notary Public

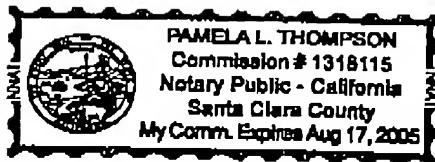
[seal]

PATENTS
112056-0006February 25, 2002
Date
Samuel M. Cramer, Inventor

On February 25, 2002, before me, Pamela L. Thompson, Notary Public personally
appeared Samuel M. Cramer,

☐ personally known to me
☒ proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) is/are
subscribed to the within instrument and
acknowledged to me that he/she/they
executed the same in his/her/their authorized
capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s),
or the entity upon behalf of which the
person(s) acted, executed the instrument.



WITNESS my hand and official seal


Signature of Notary Public

[seal]

PATENTS
112056-00062/25/2002

Date

Susan M. Coatney

Susan M. Coatney, Inventor

On February 25, 2002, before me, Pamela L. Thompson, ^{Notary Public} personally

appeared Susan M. Coatney,

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

Pamela L. Thompson
Signature of Notary Public

[seal]